

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Ginger Lynn Thornsberry

Docket No. 7:06-CR-75-1FL

Petition for Action on Supervised Release

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ginger Lynn Thornsberry, who, upon an earlier plea of guilty to Conspiracy To Interfere with Commerce by Threats or Violence, 18 U.S.C. §1951, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on July 18, 2007, to the custody of the Bureau of Prisons for a term of 70 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
4. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
5. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Ginger Lynn Thornsberry was released from custody on November 24, 2010, at which time the term of supervised release commenced. On July 13, 2011, the releasee's supervision was transferred to the Western District of Kentucky so that the releasee could live with her mother.

On July 29, 2011, the court was apprised the releasee had illegally taken a prescription drug and failed to pay her monetary obligation. The court agreed to take no action.

On February 29, 2012, the court was apprised the releasee had been charged with 4th Degree Assault, Domestic Violence and Abuse, stemming from an altercation involving her 16 year old daughter. The court agreed to hold the violation in abeyance and take no action.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On July 8, 2013, the releasee was charged by the Radcliff Police Department with 4th Degree Assault, Case Number: 13-M-01331. The report alleges the releasee struck her husband, Brian Brockman, in the face with a closed fist. On July 29, 2013, in Hardin County District Court, Radcliff, Kentucky, the releasee pled not guilty. She was subsequently determined to be guilty of 4th Degree Assault with Minor Injury and placed on 2 years supervised probation. She was ordered to pay cost of court and to participate in anger management classes. The court further ordered that she have no unlawful contact with Brian Brockman.

According to the supervising probation officer in Kentucky, the releasee admitted to hitting her husband after he had verbally assaulted her. The couple separated for a month but are now back together. As a condition of her state probation the releasee was ordered to participate in anger management classes and completed the course on September 11, 2013.

Since the releasee's relocation to Kentucky, she has made nominal payments towards her court obligation. She lives in an extremely rural area with little work options available. She is financially dependant upon her husband and family.

The releasee's supervision will expire on November 23, 2013. To address the violation behavior, the probation office is recommending the releasee complete 24 hours of community service. The releasee agreed with the sanction. In view of the outstanding monetary obligation, the releasee has signed a Probation Agreed Order for Payment, which will be forwarded to the court in the near future.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office.

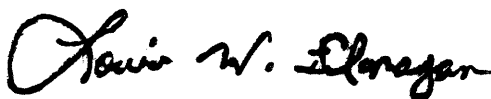
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: September 13, 2013

ORDER OF COURT

Considered and ordered this 17th day of September, 2013, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge